



COPY OF PAPERS  
ORIGINALLY FILED

Attorney Docket No.: VN174RI

R 2663  
#15  
10/10/02  
Jabbs

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of: Edem, et al.

Examiner: Nguyen, P.

Reissue Appl. No.: 09/443,250

Group Art Unit: 2663

Filed: November 11, 1999

For: NETWORK LINK ENDPOINT  
CAPABILITY DETECTION

RECEIVED  
SEP 13 2002  
Technology Center 2300

Assistant Commissioner for Patents  
Washington, D.C. 20231

SUBMISSION OF SUBSTITUTE OATH/DECLARATION

Sir:

In response to a telephone call from the examiner to Applicant's attorney, enclosed is a Substitute Oath/Declaration, signed by the inventors in the above case.

REMARKS

Applicant has endeavored herein to address all matters and to otherwise put this application in condition for allowance, and allowance is requested.

Respectfully submitted,

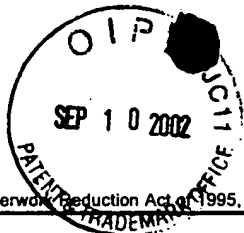
Alan R. Loudermilk  
Registration No. 32,788  
Attorney for Applicant(s)

Dated: September 4, 2002  
P. O. Box 3607  
Los Altos, CA 94024-0607  
(408) 868-1516

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that the foregoing is being deposited with the U.S. Postal Service, postage prepaid, to the Assistant Commissioner for Patents, Washington, DC 20231, this 4<sup>th</sup> day of September, 2002.

By: Alan R. Loudermilk



COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/51 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

VN174RI

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5.687.174, granted November 11, 1997, and for which a reissue patent is sought on the invention entitled Network Link Endpoint Capability Detection

the specification of which

☐ is attached hereto.

☒ was filed on November 12, 1999 as reissue application number 09 / 443,250 and was amended on 9/4/01 and 3/28/02 (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

by reason of claiming only the subject matter of claims 1-72, which is less than the full right to claim in the original application. Accordingly, new claims 73-240 were added. For example, comparing claim 73 to claim 1, claim 1 was limited to a "hub transmitter," a "node receiver," a "node transmitter," and a "hub receiver." As the originally-filed specification makes clear, this was less than Applicant was entitled to claim, and therefore new claim 73, which parallels original claim 1, recites a "first endpoint transmitter," a "second endpoint receiver," a "second endpoint transmitter," and a "first endpoint receiver." In addition, Applicant, in combination with independent claim 73, was entitled to claim the subject matter of dependent claims 74-87, but did not do so in the original application. Similar errors of claiming less than Applicant was entitled to claim can be seen from the subject matter of new claims 88-240, which include subject matter that Applicant was entitled to claim but did not in the original application.

[Page 1 of 2]

RECEIVED  
SEP 13 2002  
Technology Center 2600

2002

SEP 10 2002

COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/51 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

VN174RI

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Alan R. Loudermilk

32,788

Correspondence Address: Direct all communications about the application to:

☐

Customer Number

Type Customer Number here

Place Customer Number Bar  
Code Label here

<input checked="" type="checkbox"/> Firm or Individual Name	Loudermilk & Associates				
Address	10950 N. Blaney Avenue				
Address	Suite B				
City	Cupertino	State	CA	Zip	95014
Country	USA				
Telephone	408-342-1866	Fax	408-342-1868		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

BRIAN C. EDEM

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of second joint inventor (given name, family name)

DEBRA J. WORSLEY

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

RECEIVED

SEP 13 2002

Technology Center 2600

## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

VN174RI

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,687,174, granted November 11, 1997, and for which a reissue patent is sought on the invention entitled Network Link Endpoint Capability Detection

the specification of which

☐ is attached hereto.

☒ was filed on November 12, 1999 as reissue application number 09 / 443,250  
and was amended on 9/4/01 and 3/28/02  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

by reason of claiming only the subject matter of claims 1-72, which is less than the full right to claim in the original application. Accordingly, new claims 73-240 were added. For example, comparing claim 73 to claim 1, claim 1 was limited to a "hub transmitter," a "node receiver," a "node transmitter," and a "hub receiver." As the originally-filed specification makes clear, this was less than Applicant was entitled to claim, and therefore new claim 73, which parallels original claim 1, recites a "first endpoint transmitter," a "second endpoint receiver," a "second endpoint transmitter," and a "first endpoint receiver." In addition, Applicant, in combination with independent claim 73, was entitled to claim the subject matter of dependent claims 74-87, but did not do so in the original application. Similar errors of claiming less than Applicant was entitled to claim can be seen from the subject matter of new claims 88-240, which include subject matter that Applicant was entitled to claim but did not in the original application.

RECEIVED  
SEP 13 2002  
Technology Center 2600



COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/51 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, respondents are required to respond to a collection of information unless it displays a valid OMB control number.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
VN174R1

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Alan R. Loudermilk

32,788

Correspondence Address: Direct all communications about the application to:



Customer Number

Type Customer Number here

Place Customer Number Bar  
Code Label here

<input checked="" type="checkbox"/> Firm or Individual Name	Loudermilk & Associates				
Address	10950 N. Blaney Avenue				
Address	Suite B				
City	Cupertino	State	CA	Zip	95014
Country	USA				
Telephone	408-342-1866	Fax	408-342-1868		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

BRIAN C. EDEM

Inventor's signature	<i>Brian C. Edem</i>	Date	7/29/02
Residence	14020 Aradria Pkms Dr	Citizenship	US
Mailing Address	Same, Saratoga CA 95070		

Full name of second joint inventor (given name, family name)

DEBRA J. WORSLEY

Inventor's signature	<i>Debra J. Worsley</i>	Date	8/30/02
Residence	1723 W. Hedding St.	Citizenship	USA
Mailing Address	San Jose, CA 95126		

Full name of third joint inventor (given name, family name)

Inventor's signature	Date
Residence	Citizenship
Mailing Address	

☐ Additional joint inventors are named on separately numbered sheets attached hereto.